



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

F.#2010R00420

*271 Cadman Plaza East
Brooklyn, New York 11201*

May 2, 2012

By Hand Delivery and ECF

The Honorable Frederic Block
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Pedro Espada, Jr. et al.
Criminal Docket No. 10-985 (S-2)(FB)

Dear Judge Block:

The government writes to respectfully advise the Court of its position concerning the note received late today reporting that "after five or ten mins [minutes] from the first day of deliberations, one of the jurors refused to be open to deliberations and announced that the juror's mind was made up." Court Ex. V.

The government respectfully submits that the Court should address the note as follows: (1) read to the entire jury in open court the portion of the Court's charge concerning the jurors' duty to deliberate; and (2) remind the jury that in any future communications with the Court on this topic or any other, they must not inform the Court of the numerical breakdown of their voting concerning any count.

Respectfully submitted,

LORETTA E. LYNCH
United States Attorney

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cc: Defense Counsel